

CITY OF LYNN

City Council Meeting, February 11, 2020
Council President Darren P. Cyr

Ten Councilors Present. (Councilor Lozzi absent).

Moment of Silence. Councilor Field asked that the Family of Dot Macaione be remembered.

Pledge of Allegiance.

Motion made by Councilor Colucci and seconded by Councilor Barton to accept the Meeting Minutes of January 28, 2020.

Motion carried.

Motion made by Councilor LaPierre and seconded by Councilor Walsh to suspend the rules so that Mayor McGee and the City Council could present Citations to Henry Pariseau, owner of Skinny Hanks.

Motion carried.

COMMUNICATIONS:

Re-Appointment / Janet Rowe to the Position of City Clerk

Motion made by Councilor Barton and seconded by Councilor Field to Re-Appoint Janet Rowe to the position of City Clerk.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

COMMUNICATIONS FROM HIS HONOR THE MAYOR:

Dear Councilors:

I am hereby appointing Ms. Judith King Weber, 52 Apple Blossom Lane, as my designee to serve on the Lynn Public Library Board of Trustees. Ms. Weber's term is effective immediately and will expire on April 1, 2023.

Sincerely, Mayor Thomas M. McGee

Motion made by Councilor Colucci and seconded by Councilor Barton to appoint Judith King Weber, 52 Apple Blossom Lane to serve on the Lynn Public Library Board of Trustees effective immediately and will expire on April 1, 2023.

Motion carried by the following yea and nay:

10 YES 0 NO (Councilor Lozzi absent).

PUBLIC HEARINGS:

A Proposed Ordinance Amending the City of Lynn Zone Ordinance and City of Lynn Zone Map in the W3 and W4 Districts.

The following appeared in Favor:

James M. Cowdell, EDIC Director

Attorney James Moore, Lynn

Public Hearing Closed.

Motion by Hogan to Grant with stipulations that Part 8 and Part 9 be stricken in their entirety.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Petition of Neighborhood Development Association for construction of four residential buildings in a Business District at River and Burns Street.

The following appeared in Favor:

Peggy Phelps, NDA

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Field and seconded by Councilor Hogan to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Petition of Eugene J. Dean of Fiesta Shows to hold a Carnival on April 23 through April 26th in the English High School Parking lot to benefit the City of Lynn 4th of July Fireworks. Date and hours will be Thurs and Fri 5-11pm and Sat and Sun 1pm to 11pm. Set up on 4-20-2020.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Starbard and seconded by Councilor Barton to grant the prayer of the Petitioner with the stipulation that there are no conflicts with potential uses by English High School.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Petition of Barlo Signs for a Sign Permit at Lynn Marketplace, 43 State St.

The following appeared in Favor:

Brenden Currier, Barlo Signs

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Chakoutis and seconded by Councilor Barton to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Petition of Johannes Nota, owner of Black Stallion Tattoos to open a shop at 271 Western Ave from Tuesday thru Saturday by appointment only

The following appeared in Favor:

Jay Nota, Owner

No one appeared in Opposition.

Public Hearing Closed

Motion made by Councilor Walsh and seconded by Councilor Field to grant the prayer of the Petitioner with the stipulation that it is by appointment only and the business closes at 8:00 p.m.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Petition of Jorge Benites, owner of JB's Barbershop Studio for a Coin Operated Device License for one Pool Table at 337 Union St.

The following appeared in Favor:

Calvin Anderson, Lynn

Jorge Benites, Owner

Frances Martinez, NSLBA

Public Hearing Closed

Motion made by Councilor Chakoutis and seconded by Councilor Colucci to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Petition of Jorge Benites, owner of JB's Barbershop Studio for a Coin Operated Device License for one Pool Table at 98 Union St.

The following appeared in Favor:

Jorge Benites, Owner

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Colucci and seconded by Councilor Barton to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Petition of Ralph Sevinor for a Laundromat at 391 Lynnway with request to be open 7 days, 24 hours. (needs extended hours license).

The following appeared in Favor:

Attorney Sam Vitati

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Hogan and seconded by Councilor Walsh to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Petition of Estefani Orellana-Garcia, owner of Estefani's Restaurant for an "All Alcohol License" as a Common Victuallar at 106 Union St. Hours – Mon-Sun 7am – 10pm and Alcohol served from 8am -10pm Mon –Sat and 10am – 10pm on Sundays.

The following appeared in Favor:

Estefani Orellana-Garcia, Owner

Frances Martinez, NSLBA

Jose Rianone, Lynn

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Colucci and seconded by Councilor Starbard to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Petition of Kelly Realejo, President of WMI Lynn, LLC, to construct a Multi Family High Rise with less than five stories in part on Riley Way. Phase 1 - 336 mix units, 46 Studios, 176 one bedroom and 114 two bedroom units.

The following appeared in Favor:

Attorney Sam Vitali

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Hogan and seconded by Councilor LaPierre to TABLE.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Petition of Chris Mitchem of Diem Cannabis, to open a Marijuana Retail Business at 211-217 Lewis St, from 9am to 8pm, 7 days per week.

The following appeared in Favor:

Attorney James Smith

Paul Coombs, Parker Avenue, Lynn

Marvin Hyppolite, 7 Liberty Square, Lynn

Hunter Richard, 27 Greystone Park

Jayleen Livergood, 23 Breed Street

The following appeared in Opposition:

Michael Murphy, 42 Basset Street, Lynn

Ryan Johnson, 28 Atlantic Street, Lynn

Samatha, Ward Four Resident

Alexnader Rice-Swiss, 17 Breed Street, Lynn

The Pastor from the Seven Day Advent Church

Public Hearing Closed.

Council President Cyr passed the gavel to Council Vice-President Barton.

Motion made by Councilor Cyr and seconded by Councilor Starbard to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

9 YES 1 NO (Councilor Colucci voting NO; Councilor Lozzi absent).

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of the Lynn Fireworks Fund for a Carnival, to be held at Keaney Park, June 18 through June 21st, with set up on June 14, 2020. Hours will be Thurs and Fri 5-11pm and Sat and Sunday 1-11pm. **(Starbard)**

-Petition of **Extenet Systems** for permission to construct a small cell wireless telecommunications facility to be attached to an existing utility pole located on a public way at the following locations:

97 Adams St.	Starbard
91 Sheridan St.	Starbard
7 Pinkham Place	Colucci
70A Rockway St.	Colucci
231 Boston St.	Chakoutis
12 Chase St.	Chakoutis
57 Washington St.	Chakoutis
9 Bates St.	Hogan
57 Walnut St.	Hogan
30-32 Warren St.	Hogan
9 Kirtland St.	Walsh

20 Morris St.	Walsh
2 New Castle St.	Walsh
61 New Castle St.	Walsh
730 Summer St.	Walsh

Motion made by Councilor Colucci and seconded by Councilor Starbard to set down for Public Hearings.

Motion carried.

COMMITTEE REPORTS:

Report of the February 11, 2020 Committee on Utilities recommending the following to be accepted:

Petition of National Grid for a Grant of Location at 42-44 Grandview Ave
(Lozzi) - Granted

Petition of National Grid for a Grant of Location at West Baltimore St.
(Colucci) - Granted

Petition of Extenet Systems for permission to construct a small cell wireless telecommunications facility to be attached to an existing utility pole located on a public way at the following locations:

111 Chestnut St.	Colucci- Granted
36 Nahant Place	Colucci- Granted
36 Newhall St.	Colucci- Granted
69 Newhall St.	Colucci- Granted
80 Chatham St.	Cyr - Granted
17 Dana St.	Cyr- Granted
62 Lewis St.	Cyr- Granted
132 Alley St .	Hogan- Granted
52 Fayette St.	Starbard- Granted
24 Lincoln St.	Starbard- Granted

REPORT ACCEPTED.

Report of the February 11, 2020 Committee on Ways and Means recommending the following to be accepted:

Certify as an "Available Fund" the amount of TWO HUNDRED THOUSAND DOLLARS AND ZERO CENTS (200,000.00) as allotted to the City of Lynn Office of Economic & Community Development by Massachusetts Gaming Commission to be used by the City for the purpose of performing a Transportation Planning Grant.

Grant Period is 09/18/19-02/01/23

Motion made by Councilor Net and seconded by Councilor Chakoutis to grant.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Motion carried

Certify as an "Available Fund" the amount of SIX THOUSAND DOLLARS AND ZERO CENTS (6,000.00) as allotted to the City of Lynn Office of the Mayor for the Downtown Lynn Cultural District by Massachusetts Cultural Council (MCC) for the purpose of improving the "MarketPlace" Initiative on Market Street in downtown Lynn through creative place making as well as participation in Fair Sunday Grant.

Grant Period is 01/28/20-06/30/20

Motion made by Councilor Net and seconded by Councilor Chakoutis to grant.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Motion carried

Certify as an "Available Fund" the amount of ONE HUNDRED FIFTY THOUSAND DOLLARS AND ZERO CENTS (150,000.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY20 Gateway City Grant for high quality, intensive English Language learning Programs.

Grant Period 02/6/20-06/30/20

Motion made by Councilor Net and seconded by Councilor Chakoutis to grant.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Motion carried

Certify as an "Available Fund" the amount of SEVENTY FIVE THOUSAND DOLLARS AND ZERO CENTS (75,000.00) as allotted to the City of Lynn School Department by the United Way via LHAND for the Project RISE/SIEMER Grant.

Grant Period 01/01/20-12/31/20

Motion made by Councilor Net and seconded by Councilor Chakoutis to grant.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Motion carried

Certify as an "Available Fund" the amount of NINETEEN THOUSAND ONE HUNDRED NINETY FIVE DOLLARS AND ZERO CENTS (19,195.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary

Education (DESE) for the FY20 Teacher Diversification Pilot Program Grant
Grant Period 02/6/20-06/30/20

Motion made by Councilor Net and seconded by Councilor Chakoutis to grant.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Motion carried

Financial Transfers Laid over from January 28, 2020:

Transfer the sum of FOUR HUNDRED TWELVE THOUSAND DOLLARS AND ZERO CENTS (412,000.00)

From the Account of <u>98035-7825</u>	Reserve for Raises-Exp	412,000.00
To the Account of <u>22104-1000</u>	LPD-PR	412,000.00

To fund LPD Retro Pay Raise effective 7/1/19 thru 6/30/20.

Emergency Preamble

Motion made by Councilor Net and seconded by Councilor Chakoutis to grant.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Motion carried

Transfer the sum of FIFTY TWO THOUSAND FIVE HUNDRED SEVENTY SIX DOLLARS AND FORTY FOUR CENTS (52,576.44)

From the Account of <u>98035-7800</u>	Reserve	52,576.44
To the Account of <u>11124-0701</u>	Council	1,334.68
To the Account of <u>11254-0701</u>	CFO	3,123.23
To the Account of <u>11304-0701</u>	Comptrollers	2,137.32
To the Account of <u>11404-0701</u>	Treasurers	2,393.97
To the Account of <u>11504-0701</u>	Assessors	28.36
To the Account of <u>11604-0701</u>	City Clerk	5,327.56
To the Account of <u>11704-0701</u>	Purchasing	2,051.87
To the Account of <u>11724-0701</u>	IT	3,070.61
To the Account of <u>11904-0701</u>	Personnel	1,641.49
To the Account of <u>11914-0701</u>	Law Dept	9,681.70
To the Account of <u>11934-0701</u>	ISD	8,587.36
To the Account of <u>43924-0701</u>	Parking	2,368.59
To the Account of <u>44004-0701</u>	DPW	8,849.52
To the Account of <u>65824-0701</u>	Veterans	1,980.18

To fund Sick Buy Backs per Collective Bargaining.

Motion made by Councilor Net and seconded by Councilor Chakoutis to grant.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Motion carried

Transfer the sum of FORTY THOUSAND DOLLARS AND ZERO CENTS (40,000.00)

From the Account of <u>22104-1000</u>	LPD-PR	40,000.00
To the Account of <u>71012210-3103</u>	LPD-EXP	20,000.00

To the Account of 71012210-3104 LPD-EXP 20,000.00
To fund medical claims for police officers hurt on duty.

Motion made by Councilor Net and seconded by Councilor Chakoutis to grant.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Motion carried

Discussion re: Internal Auditor Contract – Motion made by Councilor Barton and seconded by Councilor Chakoutis to approve Contract.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Council President Cyr, on behalf of the Lynn City Council, congratulated Dawn Kwiateck, the newly appointed Internal Auditor for the City of Lynn.

REPORT ACCEPTED.

Report of the February 11, 2020 Committee on Licensing recommending the following to be accepted:

TAXI OPERATOR:

Joseph Willer Desir, 76 Beachland Ave, Revere - **Granted**

Nelson Ramirez, 39 Adams St #2- **Granted**

LIVERY SERVICE:

Lynn Transportation Inc. 736 Lynnfield St. (owner Antonino Lombardo) - **Granted**

LIVERY OPERATOR:

Antonino Lombardo, 736 Lynnfield St. - **Granted**

TAXI OPERATOR-TABLED

Jose S. Callejas, 86 Neptune St. #1 (Tabled from 01/28- No Show) - **Granted**

EXTENDED HOURS-NEW:

Guatemala Restaurant, 16 Market Square. Hours: Mon-Thurs 5am-11pm, Fri-Sun 5am-2am- **Granted with the stipulation that the closing time is 1:00 a.m., and with a 30-60-90 Review.**

MOBILE FOOD TRUCKS-RENEWAL – (Located at 702 Lynnway)

23 Lynnfield St., Tex Mex Express- **Granted**

OLD GOLD & SILVER-RENEWAL- **Granted- Granted**

508 Lynnway, Lynnway Tools & Collectibles - **Granted**

800-810 Lynnway, Universal Jewelers- **Granted**

SECOND-HAND ARTICLE-RENEWAL

101 Commercial St., My Son's Store- **Granted**

508 Lynnway, Lynnway Tools & Collectibles- **Granted**

800 Lynnway, Duc Anh Watch & Clock Repair- **Granted**

SIGN LICENSE-RENEWAL

793 Western Ave., Salvy The Florist- **Granted**

OTHER BUSINESS:**CANNING:**

Lynn Classical Baseball (Adults Only) – April 23, 24, 25, 2020 – **Granted**
REPORT ACCEPTED.

Report of the February 4, 2020 Committee on Public Property and Parks
recommending the following to be accepted:

Motion made by Councilor Colucci and seconded by Councilor Walsh to award the city-owned property at 21R Michigan Avenue to the Neighborhood Development Association (NDA) in the amount of \$80,000.00.
REPORT ACCEPTED.

Motion made by Councilor Colucci and seconded by Councilor Walsh to TABLE the city-owned lot on Myrtle Street.
Motion carried.
REPORT ACCEPTED.

Report of the February 11, 2020 Committee on Public Property and Parks
recommending the following to be accepted:

/Ordered that the Mayor be authorized to execute the Alternative Transportation Corridor Agreement by and between Massachusetts Bay Transportation Authority and City of Lynn establishing a bike path in the City of Lynn and any other documents required by the Law Department to effectuate the aforementioned stated purpose.
(HOGAN & WALSH) – Granted

/Ordered that the City of Lynn abandon and convey a portion of Oak Street and authorize the Mayor be authorized to execute any/all documents, including but not limited to a Release Deed and or a document(s) of equivalent nature and disposition and any other documents required by the Law Department to effectuate the above portion abandonment of Oak Street. **(WALSH)- Granted**

Discussion re: Lot on Myrtle Street

Motion made by Councilor LaPierre and seconded by Councilor Walsh to remove from the Table – the city-owned Lot on Myrtle Street.
Motion carried.

Motion made by Councilor LaPierre and seconded by Councilor Starbard to award the city-owned lot to Thomas McGovern, Lynnwood Development, Inc. in the amount of \$130,000.00.

Discussion re: Senior Center – **General Discussion**

OTHER BUSINESS

Order to allow the North Shore Juneteenth Association to use the City Hall foyer for the week of February 24-28, 2020 to display a "Black Excellence" showcase in honor of Black History Month. Display will be of people who have had a positive impact on the community.

Motion made by Councilor Walsh and seconded by Councilor Field to grant.

Motion carried.

REPORT ACCEPTED.

Motion made by Councilor Colucci and seconded by Councilor Walsh to adjourn.

Notice of this meeting was posted in the City Clerk's Office at least forty-eight (48) hours in advance.

A True Copy Attest:

CITY CLERK